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PART-IIA

GOVERNMENT OF MEGHALAYA

NOTIFICATIONS

The 20th February, 2019.

OFFICE MEMORANDUM

No.LR (B).13/2002/Pt/170. - In partial modification to Office Memorandum No.LR(B)1/89/Pt/33, dated 28th March, 2000 and No.LR(B)13/2002/Pt/165, dated 30th October, 2018, the Government of Meghalaya is pleased to revise/fix the appearance fees and drafting fee for Senior Government Advocates, High Court, Addl. Senior Government Advocates High Court, Government Advocates/Addl. Government Advocates, High Court and Panel Government Advocates, High Court etc. as follows:-

		Rate of Fees:-
(A) Appearance Fees per case either adjourned or heard:- For Sr. Govt. Advocate/Addl. Sr. Govt. Advocate, Government Advocate, Addl. Government Advocate and Panel Government Advocates. (Limiting to three number of cases per day)	-	₹ 1,600/-
(B) Drafting fees per case:- Sr. Govt. Advocate, Addl. Sr. Govt. Advocate/Government Advocate/ Addl. Government Advocate and Panel Government Advocates:- i) For substantive Petitions ii) For miscellaneous application, replies, written submissions etc.	- -	₹ 2,500/- ₹ 1,500/-

This office Memorandum shall come into force with effect from 30th October, 2018 and also shall stand modified as regards to Part. II (9) of Office Memorandum No.LR(B).1/89/Pt/33, dated 28th March, 2000 and C (1) & (2) of Office Memorandum No.LR(B).13/2002/Pt/165, dated 30th October, 2018 as amended thereto.

This issues with the concurrence of Finance (E) Department *vide* their I/D No.FE.34/2019, dated 15th February, 2019.

W. KHYLLEP,

Commissioner & Secretary to the Govt. of Meghalaya,
Law Department.

The 4th February, 2019.

No.GAA.6/2011/304. - In pursuance of the provisions under Sub-Section (h) of Section 2, Sub-Section (1) and (2) of Section 5 and Sub-Section (1) of Section 19 of the Right to Information Act, 2005, the Governor of Meghalaya is pleased to specify the Public Authorities under General Administration (A) Department respectively.

Sl. No.	Name of Department	Public Authority	Public Information Officer	Appellate Authority
1.	General Administration (A) Department	General Administration (A) Department	Shri T. S. Pyngrope, Under Secretary to the Govt. of Meghalaya.	Smti. H. D. B. Sangma, MCS, Joint Secretary to the Govt. of Meghalaya, General Administration Department
2.		The Resident Commissioner, Meghalaya House, 9 Dr. APJ Abdul Kalam Road, New Delhi-110011	Shri S. R. Marak, MCS, Additional Resident Commissioner	Shri P. S. Kumar, IAS, Resident Commissioner.
3.		TA & DM Meghalaya House, Kolkata, 120 - Shanti Pally, Kasba Road Connector, Kolkata - 700107	Shri Jollendra Marak, UDA, Meghalaya House, Kolkata - 700107	Shri E. Kharmalki, IAS, TA & DM, Meghalaya House, Kolkata-700107
4.		Office of the Officer on Special Duty, Meghalaya House, AK Azad Road, Rehabari, Guwahati - 8	Shri T. S. Pyngrope, Officer on Special Duty, Meghalaya House, Guwahati.	Smti. H. D. B. Sangma, MCS, Joint Secretary to the Govt. of Meghalaya, General Administration Department
5.		Office of the OSD, Meghalaya House, Vellore, Sathuvachari, Phase IV, Rangapuram, Vellore - 632009	Shri E. George, OSD, Meghalaya House, Vellore.	Smti. H. D. B. Sangma, MCS, Joint Secretary to the Govt. of Meghalaya, General Administration Department
6.		Meghalaya House, Mumbai, Vashi Navi, Plot No. 25, Sector No. 30, Mumbai - 400705	Deputy Resident Commissioner	Smti. H. D. B. Sangma, MCS, Joint Secretary to the Govt. of Meghalaya, General Administration Department

P. S. THANGKHIEW,

Additional Chief Secretary to the Govt. of Meghalaya,
General Administration (A) Department.

The 19th February, 2019.

No.LBG.73/12/Pt.I/314. - In exercise of the powers conferred by Section 62 of the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (Central Act No. 27 of 1996), the Governor is pleased to make the following rules further to amend the Meghalaya Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 2008 (hereinafter called the principal Rules), namely,-

1. **Short title and commencement.** - (1) These Rules may be called the Meghalaya Building and Other Construction Workers (Regulation of Employment and Conditions of Service) (Amendment) Rules, 2018.

(2) They shall come into force with effect from the date of notification in the Official Gazette.

2. **Amendment of Rule 272.** - In Rule 272 of the principal Rules, after the existing sub-rule (7) the following new clause shall be added namely, -

"(i) Proof of relationship of nominee with the construction worker shall be required to be submitted along with documents, such as Marriage Certificate, EPIC of the spouse (where name of spouse is mentioned, in case the spouse is nominee), Birth Certificate, ST Certificate (in case the children are nominees), etc., at the time of registration for membership".

3. **Amendment of Rule 277.** - After the existing Rule 277 of the principal Rules, the following *proviso* shall be added namely,-

"Provided that this benefit shall not be allowed more than twice."

Further, after the existing Rule 277, a new sub-rule shall be added, namely,-

"(1) A Male employee who is a beneficiary of the fund shall be given Rupees three thousand only each for two children as maternity benefit on behalf of his spouse, provided he is a registered worker and also, provided that his wife is not registered with the Board nor availed of this benefit. He should be married only once and this benefit be restricted to two of his children only. He can avail subject to production of proper documentations such as Marriage Certificate and Birth Certificate of the child".

4. **Amendment of Rule 280.**- For the existing Rules 280 of the principal Rules, the following shall be substituted namely,-

"The Board shall adopt the Pradhan Mantri Awas Yojana - Rural scheme (or similar housing schemes promoted by the Government) for Building & Other Construction Worker beneficiaries for rural areas but excluding those beneficiaries who are in the priority or Socio Economic Caste Census list of Community and Rural Development, where the Board shall give financial support subject to a maximum of Rupees One lakh thirty thousand. In the case of Pradhan Mantri Awas Yojana - Urban (or equivalent), the beneficiary contribution amount subject to a maximum of Rupees Seventy Five thousand can be supported by the Board for Building & Other Construction Worker beneficiaries of Urban areas. Beneficiaries who have availed the scheme from either Community and Rural Development or Urban Affairs shall not be entitled to this scheme. The Board shall be empowered to frame detailed guidelines based on this Rule".

5. **Amendment of Rule 282.** - For the existing Rules 282, the following shall be substituted namely, -

"A onetime grant for purchase of tools, subject to a maximum amount of Rupees Ten thousand, will be granted to all members of the fund. An application in Form No. XXXVIII shall be made for this grant with such other documents as may be specified by the Board. Operation and maintenance of the tool shall be the sole responsibility of the beneficiary and the Board shall not be responsible for any after-sales service, parts or accessories. The grant shall be sanctioned subject to production of a valid cash memo or voucher from an authorized dealer by the BOCW beneficiary and the tools shall be produced before

an official of the Board for inspection & photograph. The Board shall emboss a mark (logo or serial No) onto the tool after production & inspection. A tool so marked cannot be produced again for any subsequent claim(s). A beneficiary is prohibited from selling the tools purchased and shall not be entitled to a second grant".

Further, a new Rule shall be added after Rule 282 as follows namely,-

"282A. one set of Personal Protective Equipments is to be provided to the registered beneficiaries. A Building & Other Construction worker shall not be entitled to a second set", "Proper tendering or quotation process to be followed to procure the items mentioned in the Rules".

6. **Amendment of Rule 284.-** In the existing Rule 284 of the principal Rules.

- (i) The words "Payment of Natural Death Benefit", appearing in the subtitle of the said Rule shall be substituted by the words "Payment of Death Benefit".
- (ii) In sub-rule (1) if the death is due to an accident during the course of employment for the words and figures "₹ 5,00,000/- (Rupees five lakhs) only" appearing therein, the words and figures "₹ 3,00,000/- (Rupees three lakhs) only", shall be substituted.
- (iii) In sub-rule (1) the words, "Rupees Two lakhs only for Natural Death and ₹ 5 lakhs (Rupees five lakhs) only for Accidental Death shall still continue to those beneficiaries who are not covered under any insurance scheme", shall be added.
- (iv) After sub-rule (1), the words "There shall be no bar for the nominee to claim any other death or accidental death benefit under any insurance scheme covering the beneficiary (e.g., PMJJBY/ PMSBY/ etc.)", shall be added.

In sub-rule (2) of the said Rule, the words "District Medical & Health Officer" appearing therein shall be substituted by the words "Registrar of Births & Deaths".

7. **Amendment of Rule 287. -** After the existing Rule 287 of the principal Rules, new sub-rules shall be added as follows, namely,-

- "(i) A female beneficiary can claim both Maternity benefit and Medical Benefit if medical complications arise out of maternity that require medications or further hospitalizations. Recommendation of the treating doctor will have to be furnished for such cases."
- "(ii) An annual medical allowance grant of Rupees One Thousand only, shall be granted to all beneficiaries. This shall cover those beneficiaries who require medication but do not require hospitalization".

8. **Amendment of Rule 289.-** For the existing Rule 289 of the principal Rules, the following shall be substituted namely,-

- (1) "A building worker having continuous membership for 3 years shall **be** eligible **to** get financial assistance of Rupees Five Thousand only for his or her own marriage. A registered beneficiary can avail of this assistance once only", and
- (2) "This assistance shall be sanctioned for the marriage of all adult children of a beneficiary subject to production of proper documentation such as Marriage Certificate, etc."
- (3) "An application in Form No. XLV shall be submitted along with such other documents as may be specified by the Board such as Marriage Certificate, etc".

9. **Amendment of Rule 292. -** After the existing Rule 292 of the Principal Rules, a new Rule shall be added as follows, namely, -

"292A- Refund of contribution to those who:

- (i) Surrender their membership with the Board by virtue of availing Government job, etc:
Provided he or she does not re-enroll himself as a beneficiary of the Board.

- (ii) Cease to be a member with the Board on attaining the age of sixty years;

In such cases as above, the amount of contribution standing in his/her credit shall be given to him or her".

10. **Addition of new rule 303.** - After Rule 302 of the Principal Rules, a new Rule shall be added as follows, namely, -

"Rule 303 - Employees' Provident Fund Organisation (EPFO): The Board will reimburse the registered beneficiaries' contribution to the premium of EPFO, if they are enrolled under it, on submission of Challan or receipt".

11. **Addition of new rule 304.** - After Rule 303 of the principal Rules, a new Rule shall be added namely, -

"Rule 304 - The Board shall carry out new schemes as directed by the Government of India from time to time under relevant Sections of the Act. Further, the Board can take up new schemes of emergent nature within the ambit of the Act. However, Amendment to the Rules is to be carried out within six months".

12. **Addition of new rule 305.** - After Rule 304 of the principal Rules, a new Rule shall be added namely, -

"Rule 305 - "The Board shall be empowered to frame detailed Guidelines for the Scheme(s) under this Rule".

13. **Substitution of Forms.** - **Forms No. XXVII to XLVI** shall be substituted by modified application forms, merging of Pre-matric & Post-matric forms and also to modify the booklet type of MBOCWVB ID.

14. **Amendment of Regulation under Rule 288 to Clause VI of the Pre & Post Matric Scholarship Scheme to the Children of the Beneficiaries.** - In Regulations governing the award of Scholarship to children of construction workers registered with the Meghalaya Building and Other Construction Workers' Welfare Board:

- (i) In the existing sub-clause (v) under Clause IV-Conditions of Eligibility, a new sub-clause shall be added as follows, namely, -

"(v)(a) Children of construction workers pursuing Master Degree can claim scholarship only if he or she is still a dependent of the beneficiary. Self Declaration by the beneficiary stating that his son or daughter is still a dependent is to be submitted along with the application, with a condition that if the declaration is found to be false, the amount is to be reimbursed to the Board by the benefitted beneficiary, along with a penalty to be decided by the Board".

- (ii) In the existing sub-clause (x) under Clause IV-Conditions of Eligibility. For the words appearing therein "Only two children of the same parents or guardians will be entitled to receive scholarships. This restriction will apply to girls also", shall be deleted.

- (iii) In the existing sub-clause (i) under Clause VI-Value of Scholarship, for the words and figures "stipend for Master Degree @ Rupees one thousand only per month i.e. ₹1000/- per month", shall be added.

- (iv) After the existing sub-clauses (iii) under Clause VI-Value of Scholarship, a new sub-clause shall be added as follows, namely,-

"(iv) Book grant @ Rupees One Thousand and Fourteen Hundred only and Rupees One Thousand Eight Hundred only for Degree and Master Degree students respectively".

- (v) The existing sub-clause (iii) under Clause VI shall be substituted by the following:

"(iii) A One Time Book and Uniform Grant to students @ 2 months stipend will be granted p.a. for the students of the following group of classes:-

- (a) Class I - Class II grant Rs. 400/-
amount
- (b) Class III - Class IV grant Rs. 600/-
amount
- (c) Class 5 - Class 7 grant Rs. 800/-
amount
- (d) Class 8 - Class 10 grant Rs. 1000/-
amount
- (e) Class 11 - Class 12 grant Rs. 1200/-
amount
- (f) Certificate course - Rs. 1200/-
- (g) Diploma course - Rs. 1200/-".

(ii) In addition to the existing stipend, a onetime Book and Uniform Grant in Clause VI, a new sub-clause shall be added as follows, namely,-

"(v). A onetime stationery grant @ Rupees Five Hundred only will be granted for the students of all groups of classes".

ANNEXURE - III

SCHEME FOR THE PRE - MATRIC AND POST MATRIC SCHOLARSHIP TO CHILDREN OF CONSTRUCTION WORKERS REGISTERED WITH THE BUILDING AND OTHER CONSTRUCTION WORKERS' WELFARE BOARD.

Regulations governing the award of scholarships to Children of Constitution of Construction workers registered with the Building and Other Construction Workers' Welfare Fund.

1. ***Amendment of Clause IV.*** - (i) In the existing sub-clause (v) under Clause IV-Conditions of Eligibility, a new sub-clause shall be added as follows, namely, -

"(v) (a) Children of construction workers pursuing Master Degree can claim scholarship only if he or she is still a dependent of the beneficiary. Self Declaration by the beneficiary stating that his son or daughter is still a dependent is to be submitted along with the application, with a condition that if the declaration is found to be false, the amount is to be reimbursed to the Board by the benefitted beneficiary, along with a penalty to be decided by the Board".

(ii) In the existing sub-clause (x) under Clause IV-Conditions of Eligibility, the words "Only two children of the same parents or guardians will be entitled to receive scholarships. This restriction will apply to girls also" appearing therein, shall be deleted.

2. ***Amendment of clause VI.*** - (i) In the existing sub-clause (i) under Clause VI-Value of Scholarship, the words and figures "stipend for Master Degree @ Rupees one thousand only per month", shall be added.

(iii) After the existing sub-clauses (i) to (iii) under Clause VI-Value of Scholarship, "a new sub-clause shall be added as follows, namely,-

"(iv). book grant @ Rupees One Thousand and Fourteen Hundred only and Rupees One Thousand Eight Hundred only for Degree and Master Degree students respectively".

(ii) The existing sub-clause (iii) under Clause VI shall be substituted by the following:

"(iii) A One Time Book and Uniform Grant to students @ 2 months stipend will be granted p.a. for the students of the following group of classes:-

- (a) Class I - Class II grant Rs. 400/-
amount
- (b) Class III - Class IV grant Rs. 600/-
amount
- (c) Class 5 - Class 7 grant Rs. 800/-
amount
- (d) Class 8 - Class 10 grant Rs. 1000/-
amount
- (e) Class 11 - Class 12 grant Rs. 1200/-
amount
- (f) Certificate course - Rs. 1200/-
- (g) Diploma course - Rs. 1200/-".

(iv) In addition to the existing stipend, a onetime Book and Uniform Grant in Clause VI, a new sub-clause (v) shall be added as follows, namely, -

"(v). A onetime stationery grant @ rupees five hundred only will be granted for the students of all groups of classes".

D. P. WAHLANG,

Principal Secretary to the Govt. of Meghalaya,
Labour Department.

The 20th February, 2019.

No.CDD.74/2015/177. - In pursuance to Govt. of India's Ministry of New & Renewable Energy (Biogas Technology Development Group) letter No.253/16/2017-BIOGAS, dated 30th May, 2018 and in supersession of this Department's Notification No.CDD.74/2015/100, dated 24th September, 2018, the Meghalaya Non Conventional & Rural Energy Development Agency (MNREDA), Shillong is hereby designated as the Programme Implementing Agency (PIA) for the implementation of the Central Sector Scheme - New National Biogas & Organic Manure Programme (NNBOMP), as per the new Administrative Sanction-*cum*-Guidelines.

I. R. SANGMA,

Secretary to the Govt. of Meghalaya,
Community and Rural Development Department.

The 13th February, 2019.

No.EDN/RTE-24/2019/41. - In pursuance to the guidelines of Ministry Human Resource Development, Government of India, on the weight of school bags and the health of children it is hereby instructed that all school falling under the Department of Education, Government of Meghalaya to comply with the Government guidelines with immediate effect. The guidelines below may be adhered to:

1. Schools shall not assign homework to student except those recommended by MBOSE/ICSE/CBSE.
2. The Schools shall not assign homework to students of Classes I and II.
3. The weight of school bags for students of Class I and II should not exceed 1.5 Kg. The maximum weight of school bags for Classes III to V students shall be 2-3 Kg., for Classes VI to VII students shall be 4 Kg., for Classes VIII to IX students shall be 4.5 Kg. and for Class X students shall be 5 Kg.
4. Students should not be forced to bring additional books and other materials apart from the prescribed textbooks. Schools should make sure that students carry only such textbooks as indicated in the time-table.
5. The Head of Schools and teachers should frame well - designed time table for each Class so that children do not have to carry too many books or notebooks to the school each day.
6. Reading library books and participation in Games, Sports, Art & Culture and other creative and co-curricular activities for holistic development of students must be encouraged. This notification will take effect immediately.

D. P. WAHLANG,

Principal Secretary to the Government of Meghalaya,
Education Department.

The 28th February, 2019.

No.CDD.122/2006/337. - In exercise of the powers conferred by sub-section (I) of Section 4 of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005, the State Government hereby makes the following partial modification with respect to the amendment at item No. 1, Para 7. A. 4 as appeared in this Department's Notification No.CDD.122/2006/336, dated 28th September, 2018. The para will now be *read* as follows:

Each village Employment Council (VEC) will have a Programme Executive Implementation Committee (PEIC) which will implement the scheme in the village. PEIC shall consists of 5 persons who are conversant with MGNREGA. Out of 5 members of PEIC, at least 2 Members shall be female members. The Chairman of PEIC shall be either traditional Headman or a person elected by VEC in consultation with traditional village Headman/Durbar.

There shall be Secretary to PIEC who shall be one of the elected members from PEIC and he shall also be elected by VEC.

I. R. SANGMA,

Secretary to the Govt. of Meghalaya,
Community & Rural Development Department.

The 28th February, 2019.

No.HPL.107/99/49. - In exercise of the power conferred under sub-section (1) of Section 28 of the Cigarette and Other Tobacco Products Act, 2003 (Central Act No. 34 of 2003), the Governor of Meghalaya is pleased to empower the Police Officer not below the rank of Head Constable and above as an authorized officer under the provision of the aforesaid Act, to realize fines which may not exceed rupees two hundred.

S. KHARLYNGDOH,

Commissioner & Secretary to the Govt. of Meghalaya,
Home (Police) Department.

The 1st March, 2019.

No.POL. 354/86/Pt./239.- In exercise of the power conferred by sub-Section (1) of Section 3 of the Meghalaya Essential Services Maintenance Act, 1980 (No. 23 of 1980) read with the Meghalaya Essential Services Maintenance (Amendment) Act, 2003, the Governor of Meghalaya being satisfied that in the public interest it is necessary to do so, hereby prohibits strikes by the field staff of GVK Emergency Management and Research Institute (EMRI) within the State of Meghalaya.

This Order shall come into force with immediate effect and will remain in force for a period of six months.

By Order in the name of the Governor of Meghalaya.

P. W. INGTY,

Additional Chief Secretary to the Govt. of Meghalaya,
Political Department.

The 11th February, 2019.

No.GHADC-GAD/CML-isd/315/2011/1929. - In exercise of the powers conferred by Section 9 of the Indian Marriage Act, 1872 as adopted under Sections 3 and 4 of the Garo Hills (Christian Marriage) Act, 1954, the Garo Hills Autonomous District Council, is pleased to grant Marriage Licenses to the following gentlemen, authorizing them to solemnize and grant Certificates of Marriages between Indian Christians in the Autonomous District of Garo Hills.

1. Shri Salmond D. Marak, Seventh Day Adventist Church, New Tura, West Garo Hills.
2. Shri Lavest R. Marak, Seventh Day Adventist Church, New Tura, West Garo Hills.

Secretary
to the Executive Committee,
Garo Hills Autonomous District Council,
Tura.